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PATENT APPLICATION

**RESPONSE AFTER FINAL
EXPEDITED PROCEDURE
TECHNOLOGY CENTER ART UNIT 1743**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Stephen Peter FITZGERALD et al.

Group Art Unit: 1743

Application No.: 09/389,082

Examiner: L. Cross

Filed: September 2, 1999

Docket No.: 104161

For: IMPROVEMENTS RELATING TO ASSAY DEVICES

REQUEST FOR RECONSIDERATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the August 25, 2005 Office Action, reconsideration of the rejection is respectfully requested in light of the following remarks. Claims 17-19 and 22-38 are pending in this application.

Claims 17-19 and 22-38 are rejected under 35 U.S.C. §103(a) over Matkovich et al. (U.S. Patent No. 4,828,386) in view of Westhall (EP 569753) and McManus et al. (U.S. Patent No. 6,060,799). The rejection is respectfully traversed.

At pages 3 and 4, the Office Action asserts that the feature relating to the formation of at least one hot or cold formed projection is not patentable because Applicants have reportedly not shown that the order of the claimed steps provides unexpected results. Applicants respectfully bring to the Examiner's attention that the formation of at least one hot or cold formed projection provides an advantage that is expressly described in the